

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**vs.**

**RICHARD ROWE**

**Defendant.**

**CASE NUMBER: 2:15CR19-001**

**USM Number: 14041-027**

**JAMES N THIOS  
DEFENDANT'S ATTORNEY**

**JUDGMENT IN A CRIMINAL CASE**

**THE DEFENDANT** pleaded guilty to counts 1 of the Indictment on March 2, 2016.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense(s):

| <u>Title, Section &amp; Nature of Offense</u>   | <u>Date Offense Ended</u> | <u>Count<br/>Number(s)</u> |
|---|---------------------------|----------------------------|
| 18:922(a)(6) AND 18:924(a)(2) MAKING A FALSE<br>STATEMENT IN ACQUISITION OF A FIREARM | October 1, 2014           | 1                          |

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Counts 2, 3 and 4 of the Indictment are dismissed on the motion of the United States as to this defendant only.

**IT IS ORDERED** that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of any material change in economic circumstances.

June 8, 2016

\_\_\_\_\_  
Date of Imposition of Judgment

/s/ Rudy Lozano

\_\_\_\_\_  
Signature of Judge

Rudy Lozano, United States District Judge

\_\_\_\_\_  
Name and Title of Judge

June 9, 2016

\_\_\_\_\_  
Date

## IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **30 months**.

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant be given credit for time served.

That the defendant participate in the drug and alcohol rehabilitation program.

That the defendant be incarcerated at the minimal security institution, if he qualifies for it.

That the defendant be incarcerated in an institution as close to Chicagoland as possible.

That the defendant be allowed to participate in a halfway program at the end of his term, if he qualifies.

Defendant shall self-surrender and report in person to the institution designated by the BOP to begin execution of sentence on or before 12 p.m. (noon) on 7/12/2016, unless the attorney gets an extension of time from the court. In the event the deft has not been designated to an institution prior to this date, the deft shall report to the office of the U.S. Marshal at the federal building in Hammond, Indiana on the date and time required. Bond and conditions of release previously imposed on defendant shall remain in effect.

## RETURN

I have executed this judgment as follows:

Defendant delivered \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_,  
with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **2 years**.

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

## **MANDATORY CONDITIONS OF SUPERVISION**

While on supervision, the defendant shall comply with the following mandatory conditions:

1. Defendant shall not commit another federal, state or local crime.
2. Defendant shall not unlawfully possess a controlled substance.
3. Defendant shall cooperate in the collection of DNA as directed by the probation officer.
4. Defendant shall refrain from any unlawful use of a controlled substance and submit to one drug test within 15 days of release on probation or supervised release and at least 2 periodic drug tests thereafter as determined by the court for use of a controlled substance. This condition may be ameliorated or suspended by the court for any individual defendant if the defendant's presentence report or other reliable sentencing information indicates a low risk of future substance abuse by the defendant.

## **DISCRETIONARY CONDITIONS OF SUPERVISION**

While on supervision, the defendant shall comply with the following discretionary conditions:

1. Defendant shall not knowingly leave this judicial district without permission of the court or probation officer.
2. Defendant shall report to the probation officer in the manner and as frequently as directed by the court or probation officer and shall submit a truthful and complete written report within the first 5 days of each month. This condition does not prevent the defendant from invoking **his** Fifth Amendment privilege against self-incrimination.
3. Defendant shall follow the instructions of the probation officer as they relate to **his** compliance with the conditions of supervision; in addition, the defendant shall answer truthfully any inquiries by the probation officer concerning **his** compliance with the conditions of supervision. This condition does not prevent the defendant from invoking **his** Fifth Amendment privilege against self-incrimination.
4. If financially able to do so, the defendant shall support **his** dependents.

5. Defendant shall work at a lawful occupation, unless excused by the probation officer for schooling, training or other acceptable reasons such as child care, elder care, disability, age, or serious health condition.
6. Defendant shall notify the probation officer at least 10 days before any voluntary change of residence or employer. If defendant is involuntarily terminated from employment or evicted from a residence, **he** must notify the probation officer within 48 hours.
7. Defendant shall refrain from excessive use of alcohol. This includes "binge drinking" and "heavy drinking." "Binge drinking" is defined as a pattern of drinking that brings blood alcohol concentration levels to 0.08 grams per deciliter or higher. "Heavy drinking" is defined as "consuming fifteen drinks or more per week," or any use of alcohol that adversely affects defendant's employment, relationships, or ability to comply with the conditions of supervision, or which results in the violation of any local, state, or federal laws including disorderly intoxication or driving under the influence.
8. Defendant shall not knowingly go to places where controlled substances or illegal mood-altering substances are unlawfully sold, used, distributed or administered.
9. Defendant shall not meet, communicate, or otherwise interact with a person whom **he** knows to be in engaged, or planning to be engaged, in criminal activity.
10. Defendant shall permit a probation officer to visit **him** between the hours of 6:00 a.m. and 11:00 p.m., at home or elsewhere. If defendant is placed on home detention with location monitoring equipment and the monitoring service alerts probation that either the monitoring equipment has malfunctioned or defendant is in noncompliance, home visits may be conducted by the probation officer at any time to ensure that the location monitoring equipment is properly working and that defendant is in compliance with his/her home detention condition.
11. Defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.
12. The defendant shall participate in a **substance abuse** treatment programs and comply with all program requirements and restrictions, (which may include testing for the detection of alcohol, controlled substances, or illegal mood-altering substances.) The defendant shall pay the costs of this rehabilitative treatment if financially able to do so.
13. Beginning within 60 days of placement on supervision and if not gainfully employed, the defendant shall perform not less than 20 hours of community service each week, participate in a job skill training and counseling program, and search each day for gainful employment, all as approved and directed by the probation officer. The defendant shall pay the cost of the job skill training and counseling program if financially able to do so.
14. Defendant shall not enter into any agreement with the government to act as a confidential informant for a law enforcement agency unless granted permission to do so by a Judicial Officer.
15. Within 72 hours of placement on supervision after release from the custody of the Bureau of Prisons, defendant shall report in person to the nearest supervision unit of the United States Probation Office for this district between the hours of 8:00 a.m. and 4:30 p.m.

16. The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
17. Based on a thorough review of the defendant's financial condition as detailed in the presentence report, the Court finds that the defendant does not have the ability to pay a fine. The Court will waive the fine in this case.
18. The defendant shall pay to the United States a total special assessment of \$100, which shall be due immediately.

### **CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

**Total Assessment**

\$100

**Total Fine**

NONE

**Total Restitution**

NONE

The defendant shall make the special assessment payment payable to Clerk, U.S. District Court, 5400 Federal Plaza, Suite 2300, Hammond, IN 46320. The special assessment payment shall be due immediately.

### **FINE**

No fine imposed.

### **RESTITUTION**

No restitution imposed.

Name: RICHARD ROWE  
Docket No.: 2:15CR19-001

### **ACKNOWLEDGMENT OF SUPERVISION CONDITIONS**

Upon a finding of a violation of probation or supervised release, I understand that the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

I have reviewed the Judgment and Commitment Order in my case and the supervision conditions therein. These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed)

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
U.S. Probation Officer/Designated Witness

\_\_\_\_\_  
Date